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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,571	01/29/2004	Suryanarayana Murthy Gorty	ID839/80237	6197
27975	7590	03/14/2005	EXAMINER	
ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A. 1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE P.O. BOX 3791 ORLANDO, FL 32802-3791			HU, JINSONG	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 03/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/767,571

Applicant(s)

GORTY ET AL.

Examiner

Jinsong Hu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/29/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-33 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Tosey (US 2005/0039048).

4. As per claim 1, Tosey teaches the invention as claimed including a communications system comprising:

a polling agent for polling an electronic mailbox to retrieve unique identifiers (UID's) of electronic messages (Fig. 2; 512, Fig. 5; 610, Fig. 5; [0004]; [0007]; [0023]; col. 4, lines 1-5 of claim 1); and

a database for storing the UID's resulting from the polling ([0025], i.e., the record of most recently received mails), wherein the polling agent is operative for polling the

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electronic mailbox and retrieving only those UID's that are newer than the UID's from a previous polling to determine that new messages are available ([0010]; [0026] - [0027]; [0031] – [0033]).

5. As per claims 2 and 3, Tosey teaches the polling agent is operative for issuing a single command for obtaining the total number of electronic messages ([0025]).

6. As per claim 4, Tosey teaches the polling agent is operative for retrieving a web page that contains a list of most recent messages retrieved within the electronic mailbox ([0031]).

7. As per claim 5, Tosey teaches the polling agent is operative for shortening a polling interval of an electronic mailbox when there is activity within an electronic mailbox to provide electronic mail to a user in near real-time ([0031] – [0033]; i.e., polling frequency is adjustable).

8. As per claim 6, Tosey teaches the polling agent is operative for issuing a command for a unique identifier listing (UIDL) to determine the UID's of messages on a mail server ([0025], lines 7-11).

9. As per claim 7, Tosey teaches the invention as claimed in claim 1. Tosey also teaches a wireless communication device having a mail agent (124, Fig. 1).

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10. As per claims 8 and 9, Tosey teaches the mail user agent is operative for accessing the mobile office platform using a POP, IMAP or webmail protocol ([0002] – [0003]).

11. As per claims 10 and 11, Tosey teaches the polling agent is operative for issuing a single command for obtaining the total number of electronic messages ([0025]).

12. As per claim 12, Tosey teaches the polling agent is operative for retrieving a webpage that contains a list of most recent messages retrieved within the electronic mailbox ([0031]).

13. As per claim 13, Tosey teaches the polling agent is operative for shortening a polling interval of an electronic mailbox when there is recent activity within an electronic mailbox to provide electronic mail to a user in near real-time ([0021] – [0033]).

14. As per claim 14, Tosey teaches the polling agent is operative for issuing a command for a unique identifies- listing (UIDL) to determine the UID's of messages on a mail server ([0025], lines 7-11).

15. As per claims 15-24, since they are method claims of claims 1-6, they are rejected under the same basis as claims 1-6 above.

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16. As per claims 25-33, since they teach the same limitations as claims 1-6, they are rejected for the same basis as claims 1-6 above.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Gardner et al. (US 2005/0038859) and Lincke et al. (US 2002/0059391), disclose mail-box accessing system;

Hoglund et al. (US 2002/0026513) discloses an e-mail polling method; and

Bliss et al. (US 6,654,789) discloses a system for retrieving electronic identities.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jinsong Hu

March 3, 2005

 JOHN FOLLANSBEE
SUPERVISOR
TECHNOLOGY CENTER 2100